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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/756,162
		Filing Date	JANUARY 12, 2004
		First Named Inventor	RICHARD LA POINTE
		Art Unit	3711
		Examiner Name	UNKNOWN
Total Number of Pages in This Submission	228	Attorney Docket Number	BPPSP 1029620

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Form PTO/SB/08/A (4 pages) 38 Cited References (221 pgs); Return Postcasrd
<input type="checkbox"/> Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gordon & Rees LLP		
Signature	<i>Katherine Proctor</i>		
Printed name	Katherine Proctor		
Date	May 9, 2005	Reg. No.	31,468

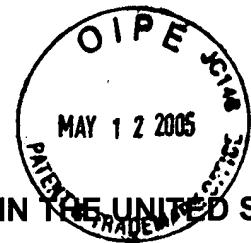
### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Beverly Erdman</i>		
Typed or printed name	Beverly Erdman	Date	5-9-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of

RICHARD LAPOINTE

Serial No. 10/756,162

Filed: January 12, 2004

} FOR:

} EXTENDED-USE BALL STRIKING  
TRAINING DEVICE

} Group Art Unit: 3711

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Attention: Examiner

Dear Sir:

Applicant submits herewith references of which he is aware, which he believes may be material to patentability of the invention disclosed and claimed in the above-cited application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

I, Beverly Erdman, hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria VA 22313-1450 on

May 9, 2005

Mailing Date

Beverly Erdman

Signature

May 9, 2005

Date of Signature

Applicant is submitting herewith copies of the references which are set forth on the attached Form PTO/SB/08A. As all relevant parts of the references are in the English language, no explanation of the references is provided herein.

This Information Disclosure Statement is submitted within three (3) months of the filing date of the above-cited application or of the date of entry into the national phase of the application or prior to the mailing date of a first Office Action thereon, whichever has occurred last, such that no fee is required.

Further, while the references provided in this Information Disclosure Statement may be material to patentability pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specifically designated as such.

Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

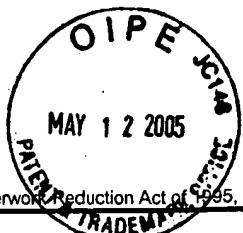
Respectfully submitted,

Dated: May 9, 2005

By: Katherine Proctor  
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Agent for Applicant  
Registration No. 31,468

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Docket No. BPPSP 1029620



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				Complete if Known	
				Application Number	10/756,162
				Filing Date	January 12, 2004
				First Named Inventor	Richard LaPointe
				Group Art Unit	3711
				Examiner Name	Unknown
Sheet	1	of	4	Attorney Docket Number	BPPSP 1029620

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
		1,554,409		Coffee, J.A.	09/22/1925
		2,842,366		Fant, J.A.	07/08/1958
		3,006,647		Haskett, E.L.	10/31/1961
		3,143,351		Bertrand, R.R.	08/04/1964
		3,166,316		O'Leary, R.E.	01/19/1965
		3,397,885		Nash, Jr., R.A.	08/20/1968
		3,550,937		Wright, George G., et al.	12/29/1970
		3,630,521		Lingbeek, John, et al.	12/28/1971
		3,703,286		Adkin, William C.	11/21/1972
		3,940,133		Civita, Benny I.	12/24/1976
		3,994,494		Kelley, Burdette C.	11/30/1976
		4,322,075		Hynes, William T.	03/30/1982
		4,415,155		Goudreau, Noel, et al.	11/15/1983
		4,460,172		Hogan, John M.	07/17/1984
Examiner Signature				Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if

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<p>Substitute for form 1449A/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p>				Complete if Known			
				Application Number		10/756,162	
				Filing Date		January 12, 2004	
				First Named Inventor		Richard LaPointe	
				Group Art Unit		3711	
				Examiner Name		Unknown	
Sheet	2	of	4	Attorney Docket Number	BPPSP 1029620		
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
		Number	Kind Code <sup>2</sup> (if known)				
		4,664,375		Tetreault, Albert G.	05/12/1987		
		4,815,735		McClenny, Carl O.	03/28/1989		
		4,898,385		Love, Carl D.	02/06/1990		
		4,966,367		Oyarzabal, Hector A.	10/30/1990		
		5,040,791		Ratajac, Aleksander, et al.	08/20/1991		
		5,048,828		Love, Carl D.	09/17/1991		
		5,083,796		Norman, Neville M.	01/28/1992		
		5,135,219		McKeon, Tim O., et al.	08/04/1992		
		5,244,392		Maursetter, Jeral F.	09/14/1993		
		5,340,101		Lawson, Steven R., et al.	08/23/1994		
		5,460,380		Ober, Audrey C.	10/24/1995		
		5,553,848		Amron, Scott L.	09/10/1996		
Examiner Signature					Date Considered		

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				Application Number		10/756,162	
				Filing Date		January 12, 2004	
				First Named Inventor		Richard LaPointe	
				Group Art Unit		3711 Unknown	
				Examiner Name			
Sheet	3	of	4	Attorney Docket Number	BPPSP 1029620		
<b>U.S. PATENT DOCUMENTS</b>							
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY		
		Number	Kind Code <sup>2</sup> (if known)				
		5,597,159		Haygood, James G., et al.	01/28/1997		
		5,618,039		Tsai, Peter, et al.	04/08/1997		
		5,683,315		Ring, David Lee	11/04/1997		
		5,766,102		Lawson, Steven R., et al.	06/16/1998		
		5,776,017		Brown, Randy W.	07/07/1998		
		5,797,810		Sandoval, George R.	08/25/1998		
		5,816,945		Todd, Phillip P..	10/06/1998		
		5,882,270		Daugherty, William E.	03/16/1999		
		6,033,323		McCown, Roger	03/07/2000		
		6,296,582		Minnear, Timothy	10/02/2001		
		6,514,161		Minnear, Timothy	02/04/2003		
		6,716,119		Weisz, Johnathan, et al.	04/06/2004		
Examiner Signature					Date Considered		

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<p>Substitute for form 1449B/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p>(use as many sheets as necessary)</p>				Complete if Known			
				Application Number		10/756,162	
				Filing Date		January 12, 2004	
				First Named Inventor		Richard LaPointe	
				Group Art Unit		3711	
				Examiner Name		Unknown	
Sheet	4	of	4	Attorney Docket Number	BPPSP 1029620		

#### OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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